DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho
JUN 14 2004
By _____ Clerk
Deputy Clerk

RECEIVED
JUN 15 2004
DEPARTMENT OF WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	**ORDER OF PARTIAL DECREE**
	)	
Case No. 39576	)	**SUBCASES: See Attached Exhibit A (PWR 107 APRIL 17, 1926) and Attached Exhibit B (47 PWR28 MAY 31, 1915)**
	)	
	)	
	)	
	)	

On April 14, 2004, a ***Special Master's Report and Recommendation*** was filed for the above-captioned water rights. No Challenges were filed to the ***Special Master's Report and Recommendation*** and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and ***SRBA Administrative Order 1***, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the ***Special Master's Report*** and wholly adopts them as its own.

Therefore, IT IS ORDERED that the above-captioned water rights are hereby **decreed** as set forth in the attached ***Partial Decrees Pursuant to I.R.C.P. 54(b)***.

DATED June 14, 2004.

JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

EXHIBIT A (PWR 107 APRIL 17, 1926)

Subcase Nos:

47-15285	47-15785
47-15287	47-15791
47-15297	47-15799
47-15299	47-15810
47-15310	47-15812
47-15319	47-15833
47-15334	47-15895
47-15337	47-16477
47-15340	47-16478
47-15343	47-16481
47-15346	47-16494
47-15349	47-16496
47-15352	47-16509
47-15399	47-16510
47-15402	47-16517
47-15405	47-16518
47-15411	47-16519
47-15414	47-16520
47-15427	47-16521
47-15430	47-16522
47-15446	47-16524
47-15450	47-16531
47-15451	47-16534
47-15461	47-16535
47-15465	47-16536
47-15495	47-16543
47-15498	47-16545
47-15501	47-16546
47-15540	47-16555
47-15543	47-16556
47-15551	47-16560
47-15554	47-16561
47-15557	47-16562
47-15560	47-16565
47-15566	47-16577
47-15573	47-16578
47-15576	47-16584
47-15581	47-16590
47-15584	47-16591
47-15638	47-16592
47-15641	
47-15644	
47-15665	
47-15677	
47-15680	
47-15722	
47-15726	
47-15734	
47-15738	
47-15742	

(Subcase list: VACADISPO)
6/14/04

EXHIBIT B (47 PWR28 MAY 31, 1915)

Subcase Nos:

47-15468
47-15471
47-15472
47-15473
47-15480
47-15482
47-15487
47-15492
47-15529
47-15532
47-15535
47-15546
47-15563
47-15607
47-15610
47-15875
47-16558
47-16563
47-16564

(Subcase list: 47 PWR28)
6/14/04

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER OF PARTIAL DECREE was mailed on June 14, 2004, with sufficient first-class postage to the following:

USDI BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Julie Murphy
Deputy Clerk

2004 JUN 14 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	PARTIAL DECREE PURSUANT TO
	)	I.R.C.P. 54(b) FOR
Case No. 39576	)	
	)	Water Right 47-15461

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
1387 S VINNELL WAY
BOISE, ID 83709-1657

SOURCE: BIG SPRING TRIBUTARY: HOUSE CREEK

QUANTITY: 0.02 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 04/17/1926

THIS WATER RIGHT IS DECREED BASED ON FEDERAL LAW WITH AN APRIL 17, 1926, DATE OF PRIORITY PURSUANT TO AN EXECUTIVE ORDER SIGNED THE SAME DATE AND KNOWN AS PUBLIC WATER RESERVE 107.

POINT OF DIVERSION: T15S R13E S29 SWSWSW Within Twin Falls County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
Stockwater	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Stockwater Within Twin Falls County
T15S R13E S29 SWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication